

9500.1226 UNEARNED INCOME.

Subpart 1. **County agency duty to determine unearned income.** The county agency must determine the total amount of unearned income available to the filing unit. The total amount of unearned income available to a filing unit for a month must be determined by combining the total unearned income of each filing unit member.

Subp. 2. [Repealed, 15 SR 1842]

Subp. 3. [Repealed, 15 SR 1842]

Subp. 4. [Repealed, 15 SR 1842]

Subp. 5. **Deductions for certain costs.** Costs incurred to secure payments of unearned income shall be deducted from unearned income. These costs include legal fees, medical fees, and mandatory deductions such as federal and state income taxes.

Subp. 6. **Payments for disability or illness.** Payments for illness or disability must be considered unearned income whether the premium payments are made wholly or in part by an employer or a recipient.

Subp. 7. **Education grants, scholarships, and loans.** Educational grants, scholarships, and loans, including assistance funded under title IV of the Higher Education Act, which are available to an assistance unit that does not contain a member of a family must be considered unearned income, together with the in-kind income derived from the payment of room and board and tuition and fees paid by the parents of the student. The county agency must subtract tuition and fees, in addition to books, supplies, transportation, and miscellaneous personal expenses as indicated by the school, from the total educational grants, loans, scholarships, and in-kind income. The deductions of these expenses are to be made at the time that the educational funds become available for the student's benefit, and any excess funds prorated over the remainder of the time they were intended to cover. School expenses that exceed loans, grants, and scholarships may be deducted from work study income.

Subp. 8. **Nonexcluded filing unit member income.** Income from a filing unit member who is not a member of the assistance unit which is not excluded under part 9500.1223 is deemed unearned income available to the assistance unit.

Subp. 9. **Lump sums received by filing unit.** Lump sums received by a filing unit must be considered as earned income under parts 9500.1223 and 9500.1225 or as unearned income under subparts 5 to 8. For recipients of general assistance, lump sums are considered income in the month received and a resource in the following months.

Statutory Authority: *MS s 256D.01; 256D.03; 256D.04; 256D.05; 256D.051; 256D.06; 256D.07; 256D.08; 256D.09; 256D.111*

History: *10 SR 2322; 15 SR 1842*

Published Electronically: *October 16, 2013*